

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No. 1:19-cr-00183-JG
)	
Plaintiff,)	JUDGE DAVID A. RUIZ
)	
v.)	ORDER RE: SUPERVISED
)	RELEASE VIOLATION HEARING
VINNY L. OSTOLAZA,)	
)	
Defendant.)	
)	

This matter was before this Court on January 24, 2024, upon request of the probation office for a finding that the defendant violated the conditions of supervised release. The defendant was present and represented by Attorney Marcus Sidoti. Assistant U.S. Attorney Robert Kolansky present on behalf of the Government. U.S. Probation Officer Alfred Preston Jr. was present on behalf of U.S. Pretrial Services and Probation.

Petitions were presented for action of the Court for cause as referenced in the May 2, 2022 violation report and the June 8, 2022 Superseding Violation Report. Previously, defendant appeared for a Supervised Release Violation hearing held by Magistrate William H. Baughman, Jr. on June 9, 2022, at which time the defendant knowingly, intelligently, and voluntarily admitted to three of the four alleged supervised release violations: 1) Unauthorized Use of Drugs, 2) Failure to Attend Drug Testing, and 3) Violation of defendant's Second Special Condition regarding Substance Abuse Treatment and Testing, but he denied Violation #4 - New Law Violation as set forth in the Superseding Violation report of June 8, 2022, for possession with the intent to distribute controlled

substances and being a felon in possession of a firearm. The Magistrate Judge issued a Report and Recommendation on July 25, 2022, recommending *inter alia* that the Court find defendant knowingly, intelligently, and voluntarily admitted to the above three violations. The Court deferred the final revocation hearing pending the outcome of defendant's alleged new law violation. The matter is now ripe as defendant has been indicted and has pleaded guilty to three charges against him in case number 1:22-cr-0334 including two counts of possession with the intent to distribute fentanyl and one count of being a felon in possession of a firearm and ammunition. On January 24, 2024, defendant knowingly, intelligently, and voluntarily admitted to violation number four.

Therefore, the Court adopts the Magistrate Judge's Report and Recommendation, and as explained on the record finds that the defendant committed the four violations of the terms and conditions of supervised release and revoked supervised release. Upon consideration, and for the reasons stated on the record, the Court sentenced the defendant to 33 months custody of the Bureau of Prisons to be served consecutively to the sentence imposed in case no. 1:22-cr-00334 with credit for time served in relation to this matter. The Court ordered defendant serve a period of supervised release during the sentencing in case number 1:22-cr-0334; and therefore, no additional period of supervised release is imposed in this case, case number 1:19-cr-00083.

The Defendant is remanded to custody of the U.S. Marshal.

IT IS SO ORDERED.

Date: February 1, 2024

/s/ David A. Ruiz

David A. Ruiz
United States District Judge